

Conservator Mitchell, Leland R
 Attorney Roberts, Gregory J.
 Pro Per Mitchell, Leland R

Probate Status Hearing RE: Proof of Increased Bond

Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		OFF CALENDAR Additional bond in the amount of \$13,000.00 filed 12/10/15
		Reviewed by: JF
		Reviewed on: 01/19/16
		Updates:
		Recommendation:
		File 1- Mitchell

2A Elvira Rodriguez (Estate)**Case No. 05CEPR00988****Executor Murillo, Joel M. (Attorney/Executor)****Attorney Murphy, Christine M. (Deputy Attorney General – Objector)****Motion to Termination Further Proceedings and Discharge of Personal Representative**

DOD: 04/15/05	JOEL MURILLO was appointed Executor with Full IAEA without bond and Letters issued on 02/22/2006.	NEEDS/PROBLEMS/COMMENTS: Page 2B is Status Hearing re: Resolution. Minute Order of 11/12/2015: Counsel represents that they have been working towards a resolution and need additional time to finalize the agreement. Note: Petition filed Amended Notice of Motion to Terminate Further Proceedings and Discharge of Personal Representative was filed on 08/06/2015, requesting that the court issue orders pursuant to Probate §§ 12250 and 12251 to terminate further proceedings and discharge the personal representative as there are no assets for distribution in the estate, however no one has been noticed. The following issues still remain: <ol style="list-style-type: none"> 1. Need Notice of Hearing on mandatory Judicial Council form. 2. Need Notice of Hearing with proof of service to be served on all interested parties. 3. Need Notice to the Department of Health Care Services pursuant to the Request for Special Notice filed 07/03/2006.
Cont. from 070215, 073015, 111215	Petitioner states: in the petition for probate filed 08/26/2005, movant alleged that the value of the assets of decedent subject to probate administration was \$155,000.00. This allegations was based on the best evidence available that decedent died possessed of the real estate at 10651 Fantz, Del Rey, California (the said real estate), which was subject to administration. On June 25, 2014, a final Inventory and Appraisal was filed in this estate reflecting that property. However, the property described above is not now or was it on June 25, 2014, property that is subject to administration. The reason is that on 06/09/2014, in Fresno Superior Court case 14CEPR00329, the court Ordered on the Petition to Determine Succession to Real Property pursuant to Probate Code § 13151 that the said real estate passed to Angelita Garcia. Thus, the said real estate is no longer an asset of this estate, rendering moot the Inventory and Appraisal filed on 06/25/2014.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	x	
<input type="checkbox"/> Aff.Mail	x	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input checked="" type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order	<p>Movant diligently searched for all assets of decedent but failed to discover any property of any kind belonging to the estate that is subject to administration.</p> <p>All costs, expenses, and premiums on surety bonds, incurred in the administration of the estate have been paid.</p> <p>A request for special notice was filed by the California Department of Health Services and notice of the time and place of hearing on this motion was given as required by law.</p> <p>Wherefore, movant prays:</p> <ol style="list-style-type: none"> 1. For an order terminating further proceedings for the administration of the estate. 2. For an order to discharge the personal representative of the estate. 3. For such other orders as the court may deem proper. <p style="text-align: center;"><u>Please see additional page</u></p>	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 01/19/2016
		Updates:
		Recommendation:
		File 2A - Rodriguez

Opposition to Motion to Terminate Further Proceedings and Discharge of Personal Representative filed 06/24/2015 by Christine M. Murphy, Deputy Attorney General, states on May 27, 2015, the personal representative of decedent Elvira Rodriguez, Joel Murillo, filed a "Motion to Termination (sic) Further Proceedings and Discharge of Personal Representative". While the Department of Health Care Services (Department) was served with the motion, counsel for the Department was not and did not receive a copy of the motion until mid-June. Department opposes the granting of Motion on the grounds that the Judgment and Judgment Lien against petitioner Joel Murillo, as personal representative, has not been satisfied.

Department obtained a judgment against Joel Murillo, as representative of the Estate of Elvira Rodriguez, on August 9, 2009 in *Shewry v. Murillo*, Fresno Superior Court Case No. 08CECG03103DRF. Attached here to as Exhibit A is a copy of the Notice of Entry of Judgment and Judgment in that case. Subsequently, a Judgment Lien was recorded against the estate property of decedent at 10651 E. Fantz Ave. Del Rey, California, 93616 (Estate Property). Attached hereto as Exhibit B is a copy of the Judgment lien. The lien remains on the estate property and has not been satisfied by the petitioner.

After the filing of the judgment lien, Joel Murillo initiated another action to probate the estate property of the decedent Elvira Rodriguez. (Matter of Elvira Rodriguez, Fresno Superior Court, Case No. 14CEPR00329.) In the later action, the Court issued an order dated 06/09/2014, determining that the estate property of Elvira Rodriguez succeed to the beneficiary of the Will, Angelita Garcia.

Department opposes the granting of the present motion on the grounds that the judgment against petitioner Joel Murillo, as personal representative in the above-entitled matter, and the judgment lien, have not been satisfied. Thus, any order of discharge would not be appropriate without satisfaction of the judgment and lien.

Further, denial of the motion to discharge Joel Murillo, as personal representative, will preserve the Department's claim and avoid further litigation. Department is concerned that because of the multiple proceedings probating the estate property there may be a later challenge by Angelita Garcia to the legitimacy of the Department's lien against the Estate Property. The Department wants to avoid the need for a Court action pursuant to Welfare and Institutions Code section 14009.5 against Angelita Garcia as a recipient of estate property or an action for payment from the personal representative. Thus, the Department respectfully requests that the Court deny the motion seeking to terminate further proceedings and to discharge Joel Murillo as personal representative until the judgment is satisfied by either settlement involving the beneficiary of the Estate Property, recognition of the lien by Angelita Garcia, or payment of the Department's claim.

Also, the parties are presently in settlement discussions regarding the satisfaction of the Department's Judgment and lien. Department, thus, requests that the Court continue this motion to allow for the entry of a settlement agreement addressing the issues raised by the outstanding judgment and requests a continuance until at least August 14, 2015 for the drafting of said settlement agreement.

For the foregoing reasons, Department respectfully requests the Court deny the motion or, in the alternative, continue the motion to allow for the entry of settlement agreement.

2B Elvira Rodriguez (Estate) Case No. 05CEPR00988

Executor Murillo, Joel M. (Attorney/Executor)

Attorney Murphy, Christine M. (Deputy Attorney General – Objector)

Probate Status Hearing RE: Resolution

DOD: 04/15/05	JOEL MURILLO was appointed Executor with Full IAEA without bond and Letters issued on 02/22/2006.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	Minute Order of 11/12/2015 set this Status Hearing regarding Resolution.	
Aff.Sub.Wit.		
Verified	Minute Order states Counsel represents that they have been working towards resolution and need additional time to finalize the agreement.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: LV
Status Rpt		Reviewed on: 01/19/2016
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 2B- Rodriguez

2B

Probate Status Hearing RE: Filing of the Petition for Final Distribution

DOD: 11/27/05	ANITA CHOPERENA was appointed Administrator with Limited IAEA and bond of \$106,000.00 on 2/21/06. Letters issued 2/24/06.	NEEDS/PROBLEMS/COMMENTS: 1. Need final account and petition for final distribution pursuant to Probate Code §12200 and Minute Order 9/17/15 or written status report pursuant to Local Rule 7.5.
Cont. from	Bond was increased to \$150,000.00 on 5/15/14 (per order 4/9/14).	
Aff.Sub.Wit.		
Verified		
Inventory	On 7/30/15, the Court confirmed the sale of Merced County real property for \$922,500.00, not including the 2015 crop, and ordered additional bond in the amount of \$550,000.00.	
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail	At the status hearing for the filing of the additional bond, there were no appearances and the Court set an Order to Show Cause for 9/17/15.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Minute Order 9/17/15 states: The Court vacates the Order to Show Cause. Mr. Keene reports that the petition for distribution needs to be held off because the almond payment will not occur until the end of the year and he wants to re-list the property. If the petition is not filed at least two court days prior to 1/21/16, then a status report verified by Ms. Choperena must be filed and both Mr. Keene and Ms. Choperena must be personally present in court on 1/21/16.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation	Note: Declaration filed 9/9/15 provides details of the cancellation of the prior sale. Petitioner has now filed a new Report of Sale and Petition for Order Confirming Sale of Real Property	
FTB Notice		
		Reviewed by: skc
		Reviewed on: 1/20/16
		Updates:
		Recommendation:
		File 3A- Choperena

3A

3B Manuel Choperena Jr. (Estate) Case No. 06CEPR00048

Attorney Keene, Thomas J (for Anita Choperena – Petitioner – Administrator)

Report of Sale and Petition for Order Confirming Sale of Real Property

DOD: 11/27/05		ANITA CHOPERENA , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. The Court previously confirmed the sale of this real property on 7/30/15. Petitioner has not brought any petition to vacate that sale, which would necessarily include notice to the prior purchaser pursuant to Probate Code §10350. Therefore, it does not appear this petition can go forward at this time. Need petition to vacate Order Confirming Sale of Real Property dated 07/30/2015. 2. Need Notice to purchaser, Bowles Farming Company, Inc. pursuant to Probate Code §10308(c). 3. Need revised order in compliance with Local Rule 7.6.1.B., E, and F. Note: A status hearing will be set as follows: <ul style="list-style-type: none"> Thursday, February 25, 2016, at 9:00am in Dept. 303 for filing of additional bond in the amount of \$550,000.00 and receipt for blocked account Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearing on the matter, the status hearing will come off calendar and no appearance will be required.
		Sale Price: \$875,000.00	
		Overbid: \$919,250.00	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/	
✓	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
✓	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 1/20/16
			Updates:
			Recommendation:
			File 3B- Choperena

3B

Dept. 303, 9:00 a.m. Thursday, January 21, 2016

4 Alexxia E. Valdez & Sofia J. Valdez (GUARD/P) Case No. 12CEPR00284

Petitioner Valdez, Yolanda (Pro Per – Maternal Grandmother)

Petition for Appointment of Guardian of the Person

Alexxia, 4	<u>TEMPORARY EXPIRES 01/21/16</u>	NEEDS/PROBLEMS/COMMENTS:
Sofia, 1	YOLANDA VALDEZ, maternal grandmother,	1. Need Notice of Hearing.
	is Petitioner.	2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
Cont. from	<u>Please see petition for details</u>	<ul style="list-style-type: none">• Noe Leon (Father of Alexxia)• Benny (Father of Sofia)
Aff.Sub.Wit.		3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
<input checked="" type="checkbox"/> Verified		<ul style="list-style-type: none">• Ramiro Navarro (Maternal Grandfather)• Paternal Grandfather of Alexxia (Unknown)• Rosa Vargas (Paternal Grandmother of Alexxia)• Paternal grandparents of Sofia (Unknown)
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	X	
Aff.Mail	X	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	X	
Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
<input checked="" type="checkbox"/> CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 01/20/2016
		Updates:
		Recommendation:
		File 4- Valdez

Attorney R. Frank Butler (for Guardian Roberta J. Galindo)
 Attorney Amy R. Lovegren-Tipton (for Elisa Ramirez and Jorge Ramirez)

Petition for Visitation

Cont. from
Aff.Sub.Wit.
Verified
Inventory
PTC
Not.Cred.
Notice of Hrg
Aff.Mail
Aff.Pub.
Sp.Ntc.
Pers.Serv.
Conf. Screen
Letters
Duties/Supp
Objections
Video Receipt
CI Report
9202
Order
Aff. Posting
Status Rpt
UCCJEA
Citation
FTB Notice

NEEDS/PROBLEMS/COMMENTS:

CONTINUED TO 3/3/2016

Per stipulation and Order for New Hearing Date filed 1/19/2016.

Note for Attorneys' future reference:
Captions in probate matters are appropriately fashioned as the case name, such as the names of the proposed wards subject to a guardianship, rather than as Petitioner vs. Respondent.

Reviewed by: LEG

Reviewed on: 1/20/16

Updates:

Recommendation:

File 5- Ramirez

6 Julissa Contreras, Arianna Contreras, Danny Cabrera and Ramon Contreras (GUARD/P)

Case No. 13CEPR00234

Petitioner Contreras, Ramon Victor (Pro Per – Father)

Objector Martinez, Patricia (Pro Per – Co-Guardian)

Objector Gomez, Candice (Pro Per – Co-Guardian)

Petition for Visitation

Julissa age: 12	<p>RAMON VICTOR CONTRERAS, father, is petitioner.</p> <p><u>Please see petition for details</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 11/19/2015: Armando Espinosa, Court Interpreter is also present to assist Maria Contreras. Examiner notes provided in open Court.</p> <ol style="list-style-type: none"> 1. Notice of Hearing filed 01/05/2016 and a Declaration of Due Diligence filed 01/11/2016 each indicate that the petitioner, Ramon Contreras, is represented by Attorney Richard Ruiz however no substitution of attorney has been filed. Need Substitution of Attorney. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on all relatives pursuant to Probate Code § 1460, including: <ul style="list-style-type: none"> • John Cabrera (Maternal Grandfather) – unless the court dispenses with notice. 	
Ariana age: 7			
Danny age: 7			
Ramon age: 5			
Cont. from 100815, 111915			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.			w/
Conf. Screen			
Letters			
Duties/Supp			
✓ Objections			
Video Receipt			
CI Report			
9202			
Order	x		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: LV
Reviewed on: 01/19/2016
Updates:
Recommendation:
File 6 – Contreras & Cabrera

7A Timothy Lee Dupree (Estate)**Case No. 13CEPR00290****Attorney: J. Stanley Teixeira (for Petitioner/former Administrator Julie Ravigcioni)****Attorney: Heather Kruthers (for Administrator Public Administrator)****Attorney: Randolph Krbechek (former attorney for Julie Ravigcioni)****Amended First Account and Report of Administrator**

DOD: 9/1/12		JULIE RAVISCIONI , former Administrator, is petitioner. Account period: 9/1/13 – 9/5/15 Accounting - \$189,605.65 Beginning POH- \$182,150.00 Ending POH - \$ 54,465.13	NEEDS/PROBLEMS/COMMENTS: Note: Attorney J. Stanley Teixeira substituted in as attorney of record on 10/19/15. Petitioner was formerly represented by Randolph Krbechek. Note: Julie Ravigcioni was removed as Administrator and the Public Administrator appointed by minute order dated 9/2/15. 1. The IRS filed a Creditor's Claim in the amount of \$104,205.30. Pursuant to Probate Code § 11420 debts owed to the United States shall be given preference. According to the petition the Creditor's Claim of the IRS remains unpaid however other creditor's claims with a lower priority have been paid (PG& E in the amount of \$448.52 and the \$41,747.00 claim of Camber Dupree). It appears that the IRS claim should have been paid prior to any other claim being paid. 2. Distributions were made to beneficiary Nicole Dixon in the amount of \$13,000.00 without court authority and prior to the satisfaction of the creditor's claims.
Cont. from 121415			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters 5/16/13		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	Petitioner states litigation ensued upon the rejection of Camber Dupree's creditor claim [in the amount of \$37,747.00]. In order to avoid protracted litigation, attorney's fees and additional costs, all the claims were settled for a total of \$41,747.00. Petitioner states she made loans to TC Transport Inc. in the total amount of \$65,875.00. Petitioner states she is reimbursing the estate and payment arrangements have been made with the Public Administrator, the current administrator of the estate. Petitioner made distributions to Nicole Dixon, an heir of the estate, in the amount of \$13,000.00, because she was facing circumstances where she could be destitute and needed assistance. Petitioner states she advanced her own funds totaling \$1,680.00 for costs of administration. Petitioner requests this amount be credited to her so that the amount payable to the Public Administrator be reduced by \$1,680.00 . Further, attorney Krbechek also advanced funds in the amount of \$120.00 during the period of the account and he requests reimbursement.	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Reviewed by: KT
Reviewed on: 1/20/16
Updates:
Recommendation:
File 7A – Dupree

Petitioner prays for an Order:

1. All of the acts and proceedings of petitioner as administrator set forth herein be confirmed and approved.
2. Petitioner be credited \$1,680.00 for amounts payable for expenses of administration at such time the Public Administrator deems appropriate.
3. Attorney Randolph Krbechek be reimbursed \$120.00 for expenses of administration at such time as the Public Administrator deems appropriate.

7B Timothy Lee Dupree (Estate)**Case No. 13CEPR00290****Attorney: J. Stanley Teixeira (for former Administrator Julie Raviscioni)****Attorney: Heather Kruthers (for Administrator Public Administrator)****Attorney: Randolph Krbechek (petitioner/former attorney for Julie Raviscioni)****Petition for Allowance of Attorney's Fees for Extraordinary Services and Advanced Costs**

DOD: 9/1/12		RANDOLF KRBECHK , former attorney for former Administrator Julie Raviscioni, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Petitioner states he was the attorney for the personal representative, Julie Raviscioni from April 8, 2013 through October 2, 2015.	1. California Rules of Court, Rule 7.702 states the petition for extraordinary compensation must include a statement of facts upon which the petition is based. The statement of facts that are required but not in the petition include: a. Show the nature and difficulty of the tasks performed; b. Show the results achieved; c. Show the benefit of the services to the estate; d. State the estimated amount of statutory compensation to be paid by the estate, if the petition is not part of a final account or report.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	A creditor's claim was filed by Camber Dupree on 9/23/13. The claim was rejected by Julie Raviscioni in her capacity as personal representative.	2. Need order.
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	To enforce her claim, Camber Dupree filed an action entitled <i>Dupree v. Raviscioni</i> , Fresno Superior Court Case no. 14CECG03809.	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Mr. Krbchek states he defended the estate in the lawsuit.	
<input checked="" type="checkbox"/>	Aff.Mail W/O		
<input type="checkbox"/>	Aff.Pub.	Petitioner settled the creditor's claim filed by Camber Dupree by paying \$41,747.00 to Camber Dupree. Such payment was made without advanced notice to Mr. Krbechek. Mr. Krbechek states he learned of the payment when he was so informed by the attorney for Camber Dupree.	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Mr. Krbchek requests fees totaling \$5,530.00 for 17.73 hours of attorney time at \$300.00 per hour and 2.8 hours of paralegal time at \$75.00 per hour. In addition to costs of \$435.00 for the filing fee.	
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order X		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 1/20/16
			Updates:
			Recommendation:
			File 7B- Dupree

7B

Attorney Lawson K. Renge (for Petitioner Betty A. Pate, Executor)

First and Final Account and Report of Administration and Petition for Final Settlement and Distribution; Accounting Waived

DOD: 4/4/2013		BETTY A. PATE , daughter and Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	Continued from 10/22/2015. Minute Order states the issues on examiner notes need to be addressed either by declaration or amended petition depending on the issue.
Cont. from 102215		I & A — \$644,428.38	The following issues from the last hearing remain:
<input type="checkbox"/>	Aff.Sub.Wit.	POH — \$493,100.79 (\$83,672.41 is cash)	
<input checked="" type="checkbox"/>	Verified		<ol style="list-style-type: none"> Pursuant to Local Rule 7.12.4, the Court will not order distribution of personal property, such as the installment note and vehicle, in undivided interests without the written consent of all distributees. Petitioner has not filed with the Court consent from each beneficiary regarding the proposed distribution in undivided interests as specified in the <i>Petition</i>. Need signed consents to distribution in undivided interests from the following distributees: <ul style="list-style-type: none"> JIMMY E. SELZER; BETTY A. PATE. Paragraph 22 of the <i>Petition</i> states the estate real property was sold, and lists \$83,672.41 as net proceeds of sale, but does not state the real property sales price, which is required information for the purpose of calculating the statutory fee pursuant to Probate Code § 10800(b), which uses the total amount of the appraisal value of the property in the inventory, <u>plus gains over the appraisal value on sales</u>, plus receipts, <u>less losses from the appraisal value on sales</u>. Need real property sales price in order to show any gain or loss on sale and to confirm the correct statutory fee calculation.
<input checked="" type="checkbox"/>	Inventory	Executor — [\$15,888.57?] (statutory)	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Attorney — [\$15,888.57?] (statutory)	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	080213	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Probate Status Hearing RE: Informal Accounting of the \$5,000.00 Closing Reserve

DOD: 12/12/13	CATALINA (aka KATIE) PERRY and STELLA LOPEZ , Co-Administrators, filed their Petition for Final Distribution on Waiver of Accounting on 06/11/15.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	The Petition for Final Distribution on Waiver of Accounting requested a \$5,000.00 closing reserve.	<p align="center"><u>OFF CALENDAR</u> Informal accounting filed 01/14/16</p>
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	Minute Order dated 07/21/15 from the hearing on the Petition for Final Distribution on Waiver of Accounting set this matter for an informal accounting of the \$5,000.00 reserve.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/19/16
		Updates:
		Recommendation:
		File 9- Maldonado

Petitioner: Rosie H. Acosta (pro per)

Petition for Final Distribution on Waiver of Accounting (And for Allowance of Statutory Commissions)

DOD: 3/31/14		ROSIE ACOSTA , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
Cont. from 100815, 111915		I & A - \$864,681.16	1. Petition and supplements do not clearly state the property on hand for distribution. Property on hand schedule should list each asset individually. For example: 1. Real property located at 2. Bank account located at ? with a balance of ? 3. ? shares of mutual funds with (name of the company) 4. Household furniture, furnishings, 5. Year and make automobile 6. Need Order. <u>Note:</u> order must comply with Local Rule 7.6.
		POH - ???	
<input type="checkbox"/>	Aff.Sub.Wit.	Administrator (statutory) - \$20,293.62	
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory	Closing - \$1,000.00	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Distribution, pursuant to intestate succession and disclaimer of interest by Thomas Acosta Sr., is to:	
<input checked="" type="checkbox"/>	Aff.Mail	Rosie Acosta - 100%	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	7/25/14	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 1/21/16
			Updates:
			Recommendation:
			File 10 – Acosta

Attorney Lawson K. Renge (for Administrator Ryan Missakian)

First and Final Account and Report of Administration and Petition for Final Settlement and Distribution; Accounting Waived

DOD: 10/3/2013		RYAN MISSAKIAN , son and Administrator with Full IAEA and without bond, is Petitioner. Accounting is waived. I & A — \$745,000.00 POH — [\$370,000.00] <i>(real property; vehicle; no cash)</i> Administrator — waives Attorney — \$17,900.00 <i>(statutory)</i>	NEEDS/PROBLEMS/COMMENTS: 1. Pursuant to Local Rule 7.12.4(A), need written consent of the two distributees to the distribution of real property in undivided interests (that is, 50% to each distributee of the Decedent's 25% interest in the property on Golden State Blvd. in Selma.) <i>Written Consent of Distributee of Estate Personal Property filed 1/14/2015 does not suffice for the real property.</i> 2. <i>Petition</i> states there is no cash subject to distribution to the beneficiaries in this proceeding; based upon that, <i>Petition</i> should but does not state the source of payment of the statutory attorney fees to Attorney Lawson Renge. Note: Court set an ORDER TO SHOW CAUSE per Minute Order of 11/16/2015 from the Status Hearing Re: Filing of First and Final Account, based upon the non-appearance on that date of Attorney Lawson Renge and Administrator Ryan Missakian, both of whom are ordered to personally appear at the Order to Show Cause set for 1/25/2016 .
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input checked="" type="checkbox"/> Inventory			
<input checked="" type="checkbox"/> PTC			
<input checked="" type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	W /		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.		Distribution pursuant to intestate succession is to: RYAN MISSAKIAN – an undivided ½ interest in Decedent's 25% interest in real property, and an undivided ½ interest in automobile. HAROLD A. MISSAKIAN – an undivided ½ interest in Decedent's 25% interest in real property, and an undivided ½ interest in automobile.	
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters	072214		
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting		Reviewed by: LEG Reviewed on: 1/20/16 Updates: Recommendation: File 11- Missakian	
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input checked="" type="checkbox"/> FTB Notice			

12 Donald Ray Henry (Estate) Case No. 14CEPR00541

Attorney Fogderude, Eric K. (for Mary Ann Henry – Executor)

**Waiver of Accounting and Petition for Final Distribution Under Will
and for Allowance of Statutory Fees and Commissions**

DOD: 04/01/2014		MARY ANN HENRY , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
Cont. from 092415		I&A - \$384,228.43	
		POH - \$459,228.43	
Aff.Sub.Wit.		(\$129,547.65 is cash)	
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory	Executor - \$12,184.57 (Statutory)	
PTC			
<input checked="" type="checkbox"/>	Not.Cred.	Attorney - \$12,184.57 (Statutory)	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Costs - \$200.00 (closing expenses)	
Aff.Pub.			
Sp.Ntc.		Closing - \$2,000.00 (accountants fees)	
Pers.Serv.			
Conf. Screen			
<input checked="" type="checkbox"/>	Letters	Distribution, pursuant to agreement of the heirs, is to: 07/28/14	
Duties/Supp			
Objections		Allison Henry Bernard – \$12,157.13; ¼ interest in real property located at 2602 West Fairmont #102; 1940 Ford Sedan; 1998 Ford commercial pickup; equal shares of Installment note in original sum of \$106,000.	
Video Receipt			
CI Report			
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	Todd Henry – \$25,282.13; 1956 Ford Pickup; 2006 Chevrolet Pickup; 2002 Harley Davidson; equal shares of Installment note in original sum of \$106,000.	
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
<input checked="" type="checkbox"/>	FTB Notice	Craig Henry – \$31,282.13; 1956 Ford Pickup; 2002 Harley Davidson; equal shares of Installment note in original sum of \$106,000. Starla Henry - \$34,257.12; tools; equal shares of Installment note in original sum of \$106,000.	

Reviewed by: LV
Reviewed on: 01/19/2016
Updates:
Recommendation: Submitted
File 12 – Henry

DOD: 10/20/1999	ROBERT BRUCE STEVER , was appointed as Administrator with full IAEA authority, without bond on 08/14/2014.	NEEDS/PROBLEMS/COMMENTS:
	Letters issued on 08/15/2014.	
Cont. from 101515	Final Inventory and Appraisal filed 09/04/2014 shows an estate valued at \$125,000.00.	1. Need First Account or Petition for Final Distribution.
Aff.Sub.Wit.		
Verified		
Inventory	Minute Order of 08/14/2014 set this status hearing for the filing of the First Account and/or Final Distribution.	
PTC		
Not.Cred.		
Notice of Hrg	Status Report filed 01/07/2016 states the estate cannot be distributed and closed at this time because the estate does not have sufficient cash and it is the wish of all heirs to sell the property before distributing the estate. It is still the desire of the Petitioner and both of the heirs to sell the real property before distributing the estate, one-third of which will be distributed to the decedent's husband's estate filed under case no. 14CEPR00594. The heirs do not wish to co-own real property. Petitioner has been unable to sell the real property but has repeatedly reduced the price according to the advice of the realtor. Petitioner listed the real property for sale with a broker in March of 2015, for \$428,795 and has reduced the price four times. On approximately January 4, 2016, the price was reduced to \$305,000.00. Petitioner is optimistic that this price reduction will result in an offer. Finally, there is no cash in this estate or the Estate of Robert Stever, sufficient to pay reimbursement to Petitioner for his out-of-pocket expenses paid on behalf of both estates or statutory costs of administration, including the attorney's advanced costs. Petitioner has expended a substantial sum out of his personal funds to have a well drilled on real property in the Estate of Robert Stever for which there is no cash in the estate to reimburse him. The sale of this real property will enable petitioner to proceed with enough cash to pay costs of administration in both estates. Petitioner requests that the Court set another status hearing out at least 120 days.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 01/19/2016
		Updates:
		Recommendation:
		File 13 – Stever

14 Robert Benton Stever (Estate)**Case No. 14CEPR00594****Attorney Gleason, Mark J. (for Robert Bruce Stever – Administrator)****Probate Status Hearing re: First Account and/or Final Distribution**

DOD: 03/04/2014	ROBERT BRUCE STEVER , was appointed as Administrator with full IAEA authority, without bond on 08/14/2014.	NEEDS/PROBLEMS/COMMENTS:
	Letters issued on 08/15/2014.	
	Final Inventory and Appraisal filed 09/10/2014 shows an estate valued at \$508,000.	2. Need First Account or Petition for Final Distribution.
Cont. from 101515		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 01/19/2016
		Updates:
		Recommendation:
		File 14 – Stever

15 Felipe Barajas Gutierrez (Estate) Case No. 14CEPR00746**Attorney Kharazi, H. Ty (for Yesenia Torres Fajardo – Administrator)****Probate Status Hearing Re: the Filing of the First Account and/or Petition for Final Distribution**

DOD: 06/03/2014	YESENIA TORRES FAJARDO , was appointed Administrator with limited IAEA authority without bond on 10/24/2014.	NEEDS/PROBLEMS/COMMENTS: 1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from	Letters issued on 11/05/2014.	
Aff.Sub.Wit.		
Verified		
Inventory	Inventory and Appraisal filed 12/22/2015 shows an estate valued at \$120,000.00.	
PTC		
Not.Cred.		
Notice of Hrg	Minute Order of 10/24/2014 set this Status Hearing for the filing of the First Account and/or Petition for Final Distribution.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 01/19/2016
		Updates:
		Recommendation:
		File 15- Gutierrez

Report of Executor and Petition for Allowance of Statutory Fees and Reimbursement of Costs, and for Final Distribution on Waiver of Accounting

DOD: 03/30/14		CHRISTOPHER COOLIDGE , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	Note Re Informal Accounting of Closing Reserve: If <i>Petition</i> is granted, pursuant to Local Rule 7.12.6, Court will set a Status Hearing as follows:
Cont. from		I & A - \$498,793.12	<ul style="list-style-type: none"> Thursday, July 21, 2016 at 9:00 a.m. in Dept. 303 for an Informal Accounting of the \$5,000.00 Closing Reserve. <p>Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.</p> <p>Filing of the informal accounting of closing reserve will not generate a new hearing date.</p>
<input type="checkbox"/>	Aff.Sub.Wit.	POH - \$546,421.63 (\$46,421.63 is cash)	
<input checked="" type="checkbox"/>	Verified	Executor - waived	
<input checked="" type="checkbox"/>	Inventory	Attorney - \$12,975.86 (statutory)	
<input checked="" type="checkbox"/>	PTC	Costs - \$1,825.79 (filing fees, publication, probate referee, certified copies)	
<input checked="" type="checkbox"/>	Not.Cred.	Closing - \$5,000.00	
<input checked="" type="checkbox"/>	Notice of Hrg	Distribution, pursuant to decedents will, is to:	
<input checked="" type="checkbox"/>	Aff.Mail w/	Christopher Coolidge: \$21,408.03 cash, plus, farm equipment, 100% interest in decedent's 50% interest in farm real property located at 7589 E. Springfield, Fowler and 100% interest in decedent's interest in a residence at that address, 100% interest in decedent's 25% interest in farm real property located at 7506 E. Parlier, Fowler, 90% of receivable due from Boghosian Packing, Fowler, CA on account of 2015 Raisin crop, contents of any safe deposit box of decedent at Bank of America	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice	Deborah Coolidge: \$5,211.95 cash, 10% of crop receivable due from Boghosian Packing, Fowler on account of 2015 Raisin Crop; right to receive 10% of annual proceeds from decedents interest in vineyards distributed to Christopher Coolidge pursuant to conditions of decedent's will, right to remain and reside in residence at 7589 E. Springfield, Fowler, CA rent free as long as she lives and so chooses	

Reviewed by: JF

Reviewed on: 01/19/16

Updates:

Recommendation: SUBMITTED

File 16- Coolidge

Probate Status Hearing Re: First Account and/or Petition for Final Distribution

DOD: 05/25/14	BRIAN J. GRIFFIN , nephew, was appointed Executor without bond and with full IAEA on 10/23/14. Minute Order from hearing on 10/23/14 set the matter for a status hearing regarding filing of the First Account and/or Petition for Final Distribution on 01/21/16. Inventory & Appraisal, Final, filed 03/18/15 - \$113,000.00	NEEDS/PROBLEMS/COMMENTS: 1. Need First/Final Account and Petition for Final Distribution <u>and/or</u> current verified status report.
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/19/16
		Updates:
		Recommendation:
		File 17- Griffin

18 Beatrice Marie Woof (Estate) Case No. 15CEPR00094**Attorney Kruthers, Heather H (for Public Administrator – Former Administrator)****Administrator Melom, Patricia (Pro Per – Current Administrator)****First and Final Account and Report of Former Administrator and Petition for****Allowance of Ordinary Commissions and Fees and for Distribution**

DOD: 10/13/2014		PUBLIC ADMINISTRATOR , former Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account Period: 11/05/2014 – 11/05/2015	
Cont. from		Accounting - \$625,338.93	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$625,338.93	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$92,715.18 (\$38,515.18 is cash)	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Bond fee - \$781.68	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Executor - \$2,000.00 (less than Statutory)	
<input checked="" type="checkbox"/>	Aff.Mail	Attorney - \$2,000.00 (less than Statutory)	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Distribution to Patricia Melom, Successor Administrator, the remaining cash in the amount of \$32,736.00.	
<input checked="" type="checkbox"/>	Letters 05/07/15		
<input type="checkbox"/>	Duties/Supp	Wherefore, petitioner prays that:	
<input type="checkbox"/>	Objections	1. The final account prepared herewith be settled, allowed and approved as filed;	
<input type="checkbox"/>	Video Receipt	2. Petitioner and his attorney each be authorized the sum of \$2,000.00 as their statutory compensation;	
<input type="checkbox"/>	CI Report	3. Petitioner be authorized to pay from the estate a bond fee of \$7841.68, a filing fee of \$435, and a processing fee of \$127.50;	
<input checked="" type="checkbox"/>	9202	4. Distribution of the estate of the decedent in petitioner's hands be made as set forth above, and	
<input checked="" type="checkbox"/>	Order	5. For such other and further orders as the Court considers just and proper.	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Reviewed by: LV
Reviewed on: 01/20/2016
Updates:
Recommendation: Submitted
File 18- Woof

Order to Show Cause – Pre RE: Failure to File the Inventory and Appraisal

DOD: 02/21/15	MELISSA POSAS and MARK SANTOS , adult children of decedent, were appointed Co-Administrators with Full IAEA and without bond on 06/11/15. Letters of Administration were issued on 06/12/15.	NEEDS/PROBLEMS/COMMENTS: 1. Need Final Inventory & Appraisal.
Cont. from		
Aff.Sub.Wit.	Minute Order from hearing on 06/11/15 set this matter for a hearing regarding filing the Inventory & Appraisal on 11/19/15.	
Verified		
Inventory		
PTC		
Not.Cred.	Inventory & Appraisal , partial no. 1, filed 10/05/15 - \$269,400.00	
Notice of Hrg	Minute Order from hearing on 11/19/15 set this hearing for an OSC Re Failure to File final Inventory & Appraisal and states: No appearances. The Court issues an Order to Show Cause to Thomas Markeson as to why he should not be sanctioned for his failure to appear, and as to Melissa Posas and Mark Santos as to why they should not be removed as Co-Administrators for failure to file the Inventory & Appraisal. Mr. Markeson and the Co-Administrators are ordered to be personally present in court or by CourtCall on 01/21/16.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report	Status Statement re Filing of Final Inventory & Appraisal filed 01/14/16 by Thomas Markeson states: he wrongfully thought the previous hearing on 11/19/15 was off calendar. He apologizes to the court and states that his client had nothing to do with the non-appearance. Inventory & Appraisal, Partial No. 2/Final has been prepared and will be submitted to the Probate Referee prior to the hearing. He does not expect the appraisals to be difficult or time consuming. A continuance is requested in order to file the Final Inventory & Appraisal.	
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/20/16
		Updates:
		Recommendation:
		File 19- Santos

Attorney: R. Rich Meyers (for Guadalupe Gutierrez, JR)

Competing Petitioner: Jessica Elizabeth Messick (pro per)

Petition for Appointment of Guardian of the Person

		TEMPORARY EXPIRES 1/21/16	NEEDS/PROBLEMS/COMMENTS:
		GUADALUPE GUTIERREZ, JR. is petitioner.	<ol style="list-style-type: none"> 1. Notice of Hearing is incomplete at #1- the person filing the documents and the title of the documents filed. 2. Proof of service of the Notice of Hearing shows it was served on Tamera Shatterlee on 10/30/15 for the hearing date of 9/14/15 and that it was not served with a copy of the petition as required. The Notice of Hearing must be served 15 days prior to the hearing date listed on the notice. 3. Need proof of service of the Notice of Hearing along with a copy of the petition or Consent and Waiver of Notice or Declaration of Due Diligence on: <ol style="list-style-type: none"> a. T.W. Carlson (paternal grandfather) – unless the court dispenses with notice. b. Daniel Messick (maternal grandfather) – unless the court dispenses with notice. c. Tamera Satterlee (maternal grandmother) 4. UCCJEA is incomplete. Need residence information for 2010 – 12/1/2012. In addition need the name and relationship of the person the minor has been living with from 12/1/12 – 5/28/15.
		Please see petition for details.	
Cont. from 091415, 110915, 111915		Court Investigator Report filed 9/4/15	
<input type="checkbox"/>	Aff.Sub.Wit.	Court Investigator Supplemental Report filed on 11/16/15	
<input type="checkbox"/>	Verified	Points and Authorities filed on 12/31/15.	
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Please see additional page
			Reviewed by: KT
			Reviewed on: 1/21/16
			Updates:
			Recommendation:
			File 20A – Messick

NEEDS/PROBLEMS/COMMENTS (cont.):

5. The competing Petitioner indicates the minor is Native American (Muscogee Creek Nation). Therefore, a *Notice of Child Custody Proceeding for Indian Child* (Form ICWA-030), must be completed and served by the attorney with proof of service filed prior to the hearing.

Attorney Tritt, Deloise E., of Garden Grove (for Deloise E. Kochevar)

First Amended Spousal or Domestic Partner Property Petition

DOD: 12/8/2010	DELOISE E. KOCHEVAR , surviving spouse, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 111915	No other proceedings.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Need copy of Decedent's Will

Petitioner states no facts (per Item 7 of the *Petition*), upon which Petitioner bases the allegation that the property described in *Attachment 7(a)* and *7(b)* is property that should be confirmed to the Petitioner as surviving spouse.

Petitioner requests Court determination that ½ interest in real property located at 4286 W. Cardiff Ave., Fresno, passes to her, and Court confirmation that ½ interest in the real property belongs to her.

The following issues relate to the First Amended Petition filed 10/1/2015:

- Item 4(c) of the *Petition* is incomplete re: whether Decedent was intestate or testate, and if testate, a copy of Decedent's Will must be attached to the *Petition*. Decedent's original Will was deposited with the Court on 3/28/2014; however, a copy of the Will has not been attached to the *Petition* as required, and the *Petition* requires an answer.
- Need Notice of Hearing and proof of service by mail of the Notice of Hearing pursuant to Probate Code § 13655(a)(2) for all persons listed in Item 9 of *Petition*, as follows:
 - SEAN ROBERTS;**
 - RISA ROBERTS.**

~Please see additional page~

Reviewed by: LEG

Reviewed on: 1/20/16

Updates:

Recommendation:

File 21 – Kochevar

NEEDS/PROBLEMS/COMMENTS, continued:

3. Need *Attachment 7* to the *Petition* describing sufficient facts pursuant to Probate Code § 13651(a)(3) and (4), upon which the Petitioner bases the allegation that the subject property should be determined as passing to, and confirmed as belonging to, the Petitioner as the surviving spouse of Decedent, in order for the Court to determine that the subject property listed in *Attachment 7(a)* and *7(b)* is community property passing to Petitioner.
4. Proposed Order After Hearing on Spousal Petition submitted with the First Amended Spousal Property Petition appears to be inappropriate for the instant petition. Need proposed spousal property order (mandatory Judicial Council form DE-226) pursuant to Local Rule 7.1.1(F) which provides a proposed order shall be submitted with all pleadings that request relief.

Petition for Appointment of Guardian of the Person

		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>HERMILA RIOS BRYAN, maternal great grandmother, is petitioner.</p> <p>Court Investigator Report filed on 11/10/15</p> <p>Court Investigator Supplemental Report filed on 11/18/15</p> <p>Court Investigator Supplemental Report filed on 1/19/16</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing, along with a copy of the Petition, or Consent and Waiver of Notice, or Declaration of Due Diligence on: <ol style="list-style-type: none"> a. Joshua Mata (father)- unless the court dispenses with notice. 3. Need proof of service of the Notice of Hearing, along with a copy of the Petition, or Consent and Waiver of Notice, or Declaration of Due Diligence on: <ol style="list-style-type: none"> a. Unknown paternal grandparents. – unless the court dispenses with notice. 	
Cont. from 111915				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Mail			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Pub.			<input type="checkbox"/>
<input type="checkbox"/>	Sp.Ntc.			<input type="checkbox"/>
<input type="checkbox"/>	Pers.Serv.			<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Conf. Screen			<input type="checkbox"/>
<input checked="" type="checkbox"/>	Letters			<input type="checkbox"/>
<input checked="" type="checkbox"/>	Duties/Supp			<input type="checkbox"/>
<input type="checkbox"/>	Objections			<input type="checkbox"/>
<input type="checkbox"/>	Video Receipt			<input type="checkbox"/>
<input checked="" type="checkbox"/>	CI Report		<input type="checkbox"/>	
<input type="checkbox"/>	9202	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	Order	<input type="checkbox"/>		
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>		
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	UCCJEA	<input type="checkbox"/>		
<input type="checkbox"/>	Citation	<input type="checkbox"/>		
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>		
			<p>Reviewed by: KT</p> <p>Reviewed on: 1/20/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 22 – Rios</p>	

Petitioner

Kharazi, H. Ty (for Paula Jean Whitmire – Daughter – Petitioner)

Attorney

Fanucchi, Edward L. (Court appointed attorney for Proposed Conservatee)

Amended Petition for Appointment of Probate Conservator of the Person and Estate

See petition for details.			NEEDS/PROBLEMS/ COMMENTS:
Cont. from 110515, 111915			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
✓	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		
			Court investigator advised rights on 10/23/15
			Voting rights affected – need minute order
			<u>Minute Order 11/19/15:</u> Examiner Notes provided in open court. The Court indicates that bond will be set at \$60,720.00 upon appointment and Petitioner is directed to look into bonding companies before the next hearing.
			<u>Note:</u> Pursuant to Substitution filed 11/30/15, Petitioner is now represented by Attorney H. Ty Kharazi and has filed this amended petition seeking conservatorship of the estate as well as conservatorship of the person.
			<u>Note:</u> Petitioner filed “Notice of Posting Bond” with an attached copy of a bond in the amount of \$60,720.00; however, <u>no original bond has been filed with the Court.</u>
			<u>SEE ADDITIONAL PAGES</u>
			Reviewed by: skc
			Reviewed on: 1/20/16
			Updates:
			Recommendation:
			File 23A – Garoppo

Page 2

NEEDS/PROBLEMS/COMMENTS:

1. As previously noted, Petitioner checks the box at #1k re dementia powers, but did not attach the mandatory Judicial Council Form #GC-313 Attachment Requesting Special Orders Regarding Dementia to the amended petition which specifies the powers being sought. Therefore the request for such powers still has not been properly served on the proposed Conservatee or relatives. Need attachment to be filed and served on interested persons.
2. Petitioner checks the box at #1d requesting orders authorizing independent exercise of powers under Probate Code §2590. However, Petitioner did not provide attachment describing the specific powers and reasons, and also did not indicate that the Conservatee owns any real property for which such powers would be necessary or appropriate. Pursuant to Local Rule 7.15.2, it is the policy of the court to grant only those independent powers necessary in each case to administer the estate. A request for all powers under §2591 will not be granted. Each independent power must be justified by and narrowly tailored to the specific circumstances in the case. Therefore, need clarification.
3. Petitioner checks the box at #1f requesting specific powers under §§ 2351-2358, but Petitioner did not provide attachment describing the specific powers and reasons. Typically, these powers only need be specified in a limited conservatorship situation. Therefore, need clarification.
4. Petitioner was previously appointed Temporary Conservator of the Person and Estate without bond, and pursuant to Minute Order 11/19/15, bond would be set at \$60,720.00 upon appointment. As noted above, Petitioner filed "Notice of Posting Bond" on 12/14/15 with an attached copy of a bond in the amount of \$60,720.00; however, no original bond has been filed.
5. The bond amount of \$60,720.00 was previously based on information provided to the Court Investigator regarding the proposed conservatee's assets and income (\$2,600/month or annual income of \$31,200 plus \$24,000 in savings). However, at that point, no actual estimate was included in the petition. The Investigator's report also indicates various additional personal property assets like vehicles that could be sold to pay for his care, but the values are not included in this estimate.

This amended petition now indicates different figures - \$10,000.00 in unspecified personal property plus annual income of \$54,010.00, which would result in a bond requirement of at least \$69,817.00. Examiner notes that the personal property figure should include any bank account balances as well as personal property assets, and as noted above, Petitioner does not indicate the value of real property, if any, and if additional independent powers are granted, bond should cover that value as well.

Therefore, need clarification regarding the discrepancy between the \$24,000 in savings previously indicated plus additional assets, and the \$10,000 estimate in this amended petition.

Petitioner is reminded to review Cal. Rule of Court 7.204 (duty to apply for increase). The Court may require increase at this time, or may require ex parte review upon the filing of the Inventory and Appraisal.

NEEDS/PROBLEMS/COMMENTS (Cont'd):

6. Need new order and letters per Local Rule 7.1.1.F. Petitioner is reminded that the Judicial Council Order Appointing Probate Conservator was recently revised on 1/15/16 and the most recent revision must be used.

Note: If granted, the Court will set status hearings as follows:

- Thurs Feb. 25, 2016 for filing bond
- Thurs May 12, 2016 for filing the Inventory and Appraisal
- Thurs March 23, 2017 for filing the first account

If the proper items are on file pursuant to Local Rule 7.5, the status hearings may come off calendar.

**Petition for Probate of Will and for Letters of Administration with Will Annexed;
Authorization to Administer Under IAEA**

DOD: 6/17/15		<p>MICHELLE SULLIVAN aka MICHELLE ROBERTS, Surviving Spouse, is Petitioner and requests appointment as Administrator with Will Annexed with Limited IAEA and with bond of \$10,000.00.</p> <p>Petitioner states the nominated executors have failed and/or refused to act.</p> <p>Limited IAEA – ok</p> <p>Will dated 3/4/15</p> <p>Residence: Clovis Publication: Business Journal</p> <p>Estimated value of estate: Personal property: \$10,000.00 Real property: \$35,000.00 (\$371,000.00, encumbered for \$336,000.00)</p> <p>Probate Referee: Steven Diebert</p> <p>Petitioner states substantially all of the decedent's estate passes to Petitioner, who waives bond. Petitioner estimates that the tangible personal property items mentioned in the will passing to the decedent's sons, brothers, and grandchildren would have a market value of not more than \$10,000.</p> <p>The decedent also owned the outstanding stock of Bill Marvin Electric, Inc., a California corporation. Petitioner estimates that there is little to no value of the stock as the debts and obligations of the corporation are expected to exceed its assets.</p> <p>The will does not leave his share of the Bill Marvin Electric, Inc., to Petitioner, and as it appears to fail to provide any disposition of the shares, it appears the shares would pass to Petitioner and the decedent's sons under intestate succession. All other assets other than the tangible personal property and shares of Bill Marvin Electric, Inc., are left to Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 11/19/15: Appearances: Marvin T. Helon on behalf of Petitioner; Daniel Roberts (Brother); and Alan Roberts (Brother). Examiner Notes provided in open court. Any written objections are to be filed and served by 12/3/15.</p> <p>As of 1/19/16, no objections have been filed, and nothing further has been filed by Petitioner. The following issue remains noted:</p> <p>1. Need declinations to serve from the Named Executor and Named Alternate Executor pursuant to Probate Code §8440:</p> <p>- Daniel Jeffery Roberts (Brother) - Toby Sue Roberts (Daughter-In-Law)</p> <p>Note: If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Thursday, March 10, 2016 for filing of bond • Thursday, June 23, 2016 for filing the Inventory and Appraisal • Thursday, March 23, 2017 for filing the first account or petition for final distribution <p>If the proper items are filed prior to the status dates pursuant to Local Rule 7.5, the status hearings may come off calendar.</p>
Cont. from 111915			
✓ Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W		
✓ Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
Reviewed by: skc			
Reviewed on: 1/19/16			
Updates:			
Recommendation:			
File 24 – Roberts			

Petition to Determine Succession to Real Property

DOD: 12/28/13		<p>MELISSA TREJO, Granddaughter, is Petitioner.</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>I&A: \$85,000.00 (residential real property in Sanger)</p> <p>Decedent died intestate</p> <p>Petitioner requests Court determination that the decedent's 100% interest in the real property in Sanger passes to her as an heir who is willing to pay off the note owed against it for a total of \$68,000.00.</p> <p>On 1/14/16, Petitioner filed additional information including a list of the decedent's children (Attachment #14) as follows:</p> <ul style="list-style-type: none"> • Ernest Gonzalez (Predeceased, no date of death provided) • Hector Gonzalez • Arthur Gonzalez • Alice Reyes • Gloria Silva • Ernestine G. Marin <p>Petitioner Melissa Trejo states she is a granddaughter.</p> <p>Petitioner also filed disclaimers signed by Alicia Reyes (?), Gloria Silva, Arthur Gonzalez, and Ernestine Marin.</p> <p>Objections were filed 12/29/15 by Ruben M. Gonzalez (grandson) and 1/6/16 Hector Gonzalez (son).</p> <p><u>SEE ADDITIONAL PAGES</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 11/19/15: Examiner notes provided in open court. Any written objections are to be filed and served by 1/7/16.</u></p> <p><u>SEE ADDITIONAL PAGES</u></p>	
Cont. from 111915				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order	x		
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: skc

Reviewed on: 1/19/16

Updates:

Recommendation:

File 25 – Gonzalez

Page 2

Objection of Ruben M. Gonzalez, Grandson, states he has been living at the residence for four years. After his grandmother was admitted for extended rehabilitation, the family called a meeting to determine who would take responsibility for maintaining the property. All of her children were given the opportunity and none could or wanted to take on the responsibility. At that point, all of the cousins, including Melissa, were given the opportunity, and none wanted to take on the responsibility. Ruben states he was almost the last person in the family to be approached. After careful consideration, he decided to move his family from Clovis to Sanger, which included transferring his son to a new school. Since he has lived there, he has maintained all financial and physical responsibilities. After his grandmother's death, he discussed the situation with the family elders and everyone agreed that he would pursue ownership of the property. At this point, he started to deal with the State of California and the Medi-Cal liens. It was not until later that he realized the County of Fresno also had a lien against the property.

Ruben states he attempted to file probate documentation, but was told he needed to wait for an appraisal to determine a course of action. The appraisal was done in October 2015; however, while he was waiting for the appraisal, Melissa filed the succession packet with the court without his knowledge or others in the family.

Ruben states he has been in contact with Fresno County and been to every meeting except one that he was not notified about. While he has lived at the property, he has worked with the City of Sanger and Sanger Unified School District to rectify a flooding and sewer problem at the house. He has had the air conditioner repaired and replaced the stove and refrigerator, as well as plumbing, roofing and fence repairs. He had the interior painted and has done home and pest inspections. Attached are receipts showing that he has maintained and improved the home.

Statement of Hector Gonzalez, Son, states when his mother moved into Golden Living Center, he asked his siblings if they wanted to move in and maintain the property. They all said no. He asked them to talk with their children to see if anyone would like to move in. No one wanted to maintain it. That's when he asked his sons and cleared it with his siblings. Ruben was the one that was willing to move in and take on the liens. Hector states they all agreed and even helped move his mother's things into storage. After her passing, they were all in agreement for Ruben to try to get the house. At that point, they all went to the storage to distribute her things to the sister.

Supplemental Declaration of Petitioner Melissa Trejo states she was not served with the objections and only noticed that they were filed by looking at the Court docket. Petitioner states Ruben nearly had the house foreclosed on by both the State of California and the Fresno County Community Development Division by failing to take care of simple business and oftentimes very small payments. While residing there, Ruben failed to pay any of the state property taxes to the point that it was closed to being seized by the state. Although property taxes are a mere \$440/year, Ruben never paid them until Petitioner filed this petition. Petitioner states Ruben paid \$1,096.85 for past due property taxes as they were in severe arrearages.

SEE ADDITIONAL PAGES

Page 3

Petitioner states Ruben also never informed the Community Development Division that their grandmother was deceased. The decedent had obtained a loan of approx. \$68,093, which carried through as a line and must be paid back. After finding out how close the family home was to foreclosure, Petitioner decided that she would rather not give it back to the County and filed the present case. Ruben claims not to have known about the loan, but the entire family was aware of the loan, the lien, and that their grandmother needed to remain there in order for the loan to remain in good standing. Petitioner states Ruben failed to start probate proceedings, which he could have done any time after their grandmother's death in 2012.

NEEDS/PROBLEMS/COMMENTS:

1. It does not appear that this matter can go forward. In a summary proceeding, the Court is limited to making a determination that the property passes to the proper successors in interest pursuant to law. See Probate Code §6400 et seq., re intestate succession.

Here, the heirs would have been the decedent's five surviving children: Hector, Arthur, Alice, Gloria, and Ernestine, and if they had petitioned together, the house could have passed to them.

However, Petitioner is not an heir, and now that disclaimers have been filed by Arthur, Alice, Gloria, and Ernestine (assuming that Alicia is the same person as Alice), the heirs are now Hector, Arthur's issue, Alice's issue, Gloria's issue, and Ernestine's issue, because disclaimers result in distribution as if the disclaimant had predeceased the decedent per Probate Code §282. Note also that disclaimers, when effective, are irrevocable per Probate Code §281.

In other words, although it appears that both Petitioner and Objector Ruben wish for the Court to pass the property to them, neither of them is entitled to succeed alone to this property. A new Petition to Determine Succession would be necessary if the proper heirs, now pursuant to the disclaimers, were to request Court determination of succession.

Alternatively, if the parties wish to pursue actions to retain the house, it appears that opening a probate estate and appointment of a personal representative may be necessary in order to deal with the various issues surrounding the house and determine appropriate distribution. However, opening a full probate estate may have adverse consequences in this case, given the various liens and creditors. The parties are encouraged to seek legal advice from an attorney regarding their options for proceeding.

2. At the very least, if this petition goes forward, a complete list of all heirs, including children and grandchildren of the decedent, is necessary, due to the filing of the disclaimers. Also, need date of death of the decedent's deceased son Ernest per Local Rule 7.1.1.D.

26 Capitola Humphry Lanier (Det. Succ) Case No. 15CEPR01012

Petitioner Cruz, Robert L. (Pro Per Petitioner)
 Petitioner McKim, Julianna (Pro Per Petitioner)
 Petitioner Horton, Linda Beth (Pro Per Petitioner)
 Petitioner Cruz, David (Pro Per Petitioner)
 Petitioner Guerra, Janet (Pro Per Petitioner)

Petition to Determine Succession to Real Property

DOD: 8/2/15		ROBERT L. CRUZ, JULIEANNA MCKIM, LINDA B. HORTON, DAVID CRUZ, and JANET M. GUERRA, children of the decedent, are Petitioners. 40 days since DOD No other proceedings I&A: \$120,000.00 (real property in Fresno) Decedent died intestate Petitioners request Court determination that the real property in Fresno passes in equal shares to Petitioners.	NEEDS/PROBLEMS/COMMENTS: 3. It does not appear this petition can go forward as prayed. Declaration filed 1/5/16 states the decedent was also survived by issue of two predeceased children (<u>seven</u> additional people), who would be heirs along with Petitioners. Therefore, a new petition would need to be filed by all successors. <u>Note:</u> It does not appear that those additional heirs have been given notice of this petition. 4. Petitioner's Declaration filed 1/5/16 refers the Court to the I&A as Attachment #11; however, this does not contain a statement as to what the decedent's interest in the property is. Need Attachment 11 if this petition goes forward.
Cont. from 111915			
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
	PTC		
	Not.Cred.		
N/A	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
Reviewed by: skc Reviewed on: 1/19/16 Updates: Recommendation: File 26 – Lanier			

Petitioner
Petitioner
Petitioner

Origel, Marcelo (pro per – maternal uncle)
Origel, Maria (pro per – maternal aunt)
Bugarini, Sara De Jesus (pro per – maternal grandmother)

Amended Petition for Appointment of Guardian of the Person

Christina, 16	TEMPORARY EXPIRES 01/21/16		NEEDS/PROBLEMS/COMMENTS:
Joshua, 12	SARA DE JESUS BUGARINI , maternal grandmother, MARCELO ORIGEL , maternal uncle, and MARIA ORIGEL , maternal aunt, are Petitioners.		
	Father (Cristina): ANTONIO PARRA – <i>Consents and waives notice</i>		
Cont. from	Father (Joshua): ANTONIO FRANCISCO LAU-ZATARAIN – <i>Consents and waives notice</i>		
Aff.Sub.Wit.	Mother: LIZA PONCE – <i>deceased</i>		
✓ Verified	Paternal grandparents (Cristina): ANTONIO PARRA SANCHEZ – <i>served by mail on 12/21/15</i>		
Inventory	CRISTINA MENDEZ CUELLAR – <i>deceased</i>		
PTC	Paternal grandparents (Joshua): CIPRIANO LAU – <i>served by mail on 12/21/15</i>		
Not.Cred.	CELIA ZATARAIN CASTRO – <i>deceased</i>		
✓ Notice of Hrg	Maternal grandfather: J. ROSARIO PONCE – <i>served by mail on 12/21/15</i>		
✓ Aff.Mail	w/	Siblings: ESTEVAN PARRA (14), NAYELY PARRA (16), NATALIE PARRA, FRANCISCO LAU (21), LEI-AHAN LAU (28), EMMANUEL ARANA (23) – <i>all consent and waive notice</i>	
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.	n/a		
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202		Petitioners state: [see file]. Court Investigator Dina Calvillo filed a report on 01/13/16.	
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice		Reviewed by: JF Reviewed on: 01/20/16 Updates: Recommendation: File 27A- Parra/Ponce	

Petition for Appointment of Guardian of the Person

Age: 10 months		<p align="center"><u>NO TEMPORARY IN PLACE;</u> <u>TEMPORARY DENIED ON 12/01/15</u></p> <p>MARIA N. GRANADOS, maternal grandmother, is Petitioner.</p> <p>Father: DANIEL OLVERA – <i>Declaration of Due Diligence filed 01/12/16</i></p> <p>Mother: MARIA DE JESUS JACUINDE – <i>Consent & Waiver of Notice filed 11/23/15</i></p> <p>Paternal grandfather: DANIEL OLVERA, SR. - <i>deceased</i> Paternal grandmother: ODETTE OLVERA – <i>served by mail on 01/12/16</i></p> <p>Maternal grandfather: RUBEN JACUINDE – <i>served by mail on 11/19/15</i></p> <p>Petitioner states [see file].</p> <p>Court Investigator Charlotte Bien filed a report on 01/12/16.</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>1. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person or Consent & Waiver of Notice for Daniel Olvera (father) – <i>unless diligence is found.</i></p> <p>2. Proof of service filed 01/13/16 for Odette Olvera states that Notice was mailed on 01/12/16, only 9 days before the hearing. 15 days' notice is required pursuant to the Probate Code.</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			x
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 01/20/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 28- Tamez</p>		

Petition to Determine Succession to Real Property and Personal Property

DOD: 7/13/15		FRANCIS PRESTON , Father, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD	
		No other proceedings	<p>1. Petitioner does not indicate whether the decedent's mother is alive or deceased. If alive, she is entitled to a 50% share of this estate. If deceased, need date of death pursuant to Local Rule 7.1.1.D.</p>
<input type="checkbox"/>	Aff.Sub.Wit.	I&A: \$129,259.39 (A 25% undivided interest in real property in Tulare County plus a 2.77% limited partnership interest and \$9.39 cash in checking account)	
<input checked="" type="checkbox"/>	Verified	Decedent died intestate	
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Petitioner requests Court determination that all of the decedent's real and personal property interests pass to him pursuant to intestate succession.	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: skc
			Reviewed on: 1/20/16
			Updates:
			Recommendation:
			File 29- Preston

Petition for Letters of Administration; Authorization to Administer Under IAEA

DOD: 10/11/15		PHILIP VALLES and EMILIO VALLES, sons, are Petitioners and request appointment as Co-Administrators with Full IAEA with bond of \$65,000.00	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.	Full IAEA – ok	
✓	Verified	Decedent died intestate	
	Inventory		
	PTC		
	Not.Cred.	Residence: Fresno Publication: Business Journal	
✓	Notice of Hrg	Estimated value of estate:	
✓	Aff.Mail	Personal property: \$60,000.00	
✓	Aff.Pub.	Annual income from real property: \$4,800.00	
	Sp.Ntc.	Real property: \$325,000.00	
	Pers.Serv.		
	Conf. Screen	Probate Referee: Steven Diebert	
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

<p>1. Petitioners' signatures on the Acknowledgment of Receipt of Duties and Liabilities of Personal Representative form are not dated.</p> <p>2. Petitioners request full authority under IAEA, but only request to bond for the amount of the personal property and income.</p> <p>If full IAEA is to be granted, need bond of \$389,000.00.</p> <p>Alternatively, the Court may consider granting limited authority unless waiver of bond from the decedent's third son, Andrew Valles, is filed. See Form #DE-142.</p> <p>Note: If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Thursday, March 10, 2016 for filing of bond • Thursday, June 23, 2016 for filing the Inventory and Appraisal • Thursday, March 23, 2017 for filing the first account or petition for final distribution <p>If the proper items are filed prior to the status dates pursuant to Local Rule 7.5, the status hearings may come off calendar.</p>
Reviewed by: skc
Reviewed on: 1/20/16
Updates:
Recommendation:
File 30- Valles

Petitioner Hille, Christina (pro per – mother)
 Petitioner Gonzales, Rosie S. (pro per – maternal grandmother)
 Petitioner Gonzales, Sonia (pro per – maternal aunt)

Petition for Appointment of Temporary Conservator of the Person

Age: 21		GENERAL HEARING: 02/11/16		NEEDS/PROBLEMS/COMMENTS:		
		<p>CHRISTINA HILLIE, mother, ROSIE GONZALES, maternal grandmother, and SONIA GONZALES, maternal aunt, are Petitioners and request appointment as Temporary Co-Conservators of the Person.</p> <p>Petitioners state [see file].</p> <p>Court Investigator Jennifer Daniel filed a report on 01/14/16.</p>		<p>Court Investigator advised rights on 01/13/16.</p> <p>1. Need proof of service by mail at least 5 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Conservator</i> <u>or</u> Declaration of Due Diligence <u>or</u> Consent & Waiver of Notice for Honorio Reyes, Paternal Grandfather.</p> <p>Note: Petitioners request to be excused from providing notice to Honorio Reyes, Paternal grandfather. They state that his whereabouts is unknown and that he has not been around or involved with the proposed conservatee at all and was an absentee parent to proposed conservatee's father also. Petitioners state that they have never met him or had any contact with him.</p>		
Cont. from						
	Aff.Sub.Wit.					
✓	Verified					
	Inventory					
	PTC					
	Not.Cred.					
✓	Notice of Hrg					
✓	Aff.Mail					w/
	Aff.Pub.					
	Sp.Ntc.					
	Pers.Serv.					
✓	Conf. Screen					
✓	Letters					
✓	Duties/Supp					
	Objections					
	Video Receipt					
✓	CI Report					
	9202					
✓	Order					
	Aff. Posting					
	Status Rpt					
	UCCJEA					
	Citation					
	FTB Notice					
				Reviewed by: JF		
				Reviewed on: 01/20/16		
				Updates:		
				Recommendation:		
				File 31- Reyes		

Petition for Appointment of Temporary Guardian of the Person

Brittany, 5		<u>GENERAL HEARING: 03/08/16</u>	NEEDS/PROBLEMS/COMMENTS:
Jasmine, 16			
		BRENDA TILSON , maternal grandmother, is Petitioner.	1. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Donald Jack Leiffer b. Jeffrey Scott Jones
		Father (Jasmine): DONALD JACK LEIFFER	
Cont. from		Father (Brittany): JEFFREY SCOTT JONES	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Mother: ANGELA LEIFFER – personally served on 01/08/16	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Paternal grandparents (Jasmine): UNKNOWN	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Paternal grandparents (Brittany): UNKNOWN	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Maternal grandfather: BILLIE TILSON	
<input checked="" type="checkbox"/>	Pers.Serv.	<input type="checkbox"/> w/	Petitioner states [see file for details].
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 01/20/16
			Updates:
			Recommendation:
			File 32- Jones & Leiffer